

House Study Bill 89

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON GASKILL)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to local regulation of smoking.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 1617HC 82
4 pf/sh/8

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1 1 Section 1. Section 142B.6, unnumbered paragraph 3, Code
1 2 2007, is amended by striking the unnumbered paragraph.
1 3 Sec. 2. NEW SECTION. 142B.6A LOCAL REGULATION OF
1 4 SMOKING.
1 5 1. A city, county, or local board of health may provide
1 6 for the enforcement, by ordinance or rule, of standards or
1 7 requirements that are higher or more stringent than those
1 8 imposed under this chapter.
1 9 2. An ordinance or rule adopted under subsection 1 may
1 10 specifically include but is not limited to any of the
1 11 following:
1 12 a. An ordinance or rule that eliminates or limits the
1 13 exemptions specified in section 142B.2, subsection 1.
1 14 b. An ordinance or rule that prohibits the designation of
1 15 smoking areas notwithstanding section 142B.2, subsection 2.
1 16 c. An ordinance or rule that eliminates or limits the
1 17 exemption in section 142B.2, subsection 2, relating to a
1 18 public place consisting of a single room or a bar.

EXPLANATION

1 19 This bill provides that a city, county, or local board of
1 20 health may adopt an ordinance or rule to provide for the
1 21 enforcement of standards and requirements that are higher or
1 22 more stringent than those imposed under Code chapter 142B
1 23 (smoking prohibitions).

1 24 The bill provides that an ordinance or rule may
1 25 specifically: eliminate or limit the exemptions relating to
1 26 designation of a smoking area or the application of
1 27 designation of a smoking area to an entire room or hall that
1 28 is used for a private social function, or to factories,
1 29 warehouses, or similar places of work not usually frequented
1 30 by the general public; prohibit the designation of a smoking
1 31 area; or eliminate or limit the provisions allowing for
1 32 exemptions for a single room or a bar.

1 33 The bill also eliminates the provision relating to
1 34 enforcement of the smoking prohibitions Code chapter in an
2 1 equitable and uniform manner throughout the state.

2 2 LSB 1617HC 82
2 3 pf:nh/sh/8